

Appl. No. 10/711,390
Amdt. dated January 02, 2006
Reply to Office action of December 02, 2005

REMARKS/ARGUMENTS

1. Election/Restrictions:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- 5 Group I: Claims 1-15, drawn to a resistor structure, classified in class 257, subclass 384.
Group II: Claims 16-20, drawn to method of manufacturing a resistor, classified in class 438, and subclass 200.

The inventions are distinct, each from the other because of the following reasons:

- 10 Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP §806.05 (f)). In the instant case unpatentability of Invention I would not necessarily imply unpatentability of Invention II, 15 since the device of Invention II could be made by processes materially different from those of Invention II. For example, the heavily doped with a single step, which is materially different from performing a first ion implantation process and a second ion implantation process as required by claim 16 of Invention II.
- 20 Because these inventions are distinct for the reasons given above and have required a separate status in the art as shown by their different classification, the fields of search are not co-extensive. Therefore, separate examination would be required and restriction for examination purposes as indicated is proper.
- 25 Applicant is advised that the reply to this requirement to be complete must be include an election of the invention to be examined even through the requirement be traversed (37 CFR 1.143).

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Response:

- Applicants have elected Group I according to 37 CFR 1.143. Claims 1-15 are readable upon the elected Group I. Fig. 1 is a cross-sectional diagram of a preferred embodiment.
- 5 Claims 16-20 are not readable in the elected Group I and thereby are cancelled. Consideration of claims 1-15 is politely requested.

2. Inventorship:

- 10 Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of the inventorship must be accompanied by a diligently filed petition under 37 CFR 1.48 (b) and by the fee required under 37 CFR 1.17 (h).

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Response:

The inventorship of the elected inventions is not changed.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

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Sincerely yours,

Winston Hsu

Date: 01/02/2006

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